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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/059,077	04/09/98	JOHNSTON	G

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LM01/1023

EXAMINER

QUIETT, C

ART UNIT PAPER NUMBER

2712

3

DATE MAILED: 10/23/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/059,077

Applicant(s)
G. E. Johnston And A. Levinkron

Examiner
Carramah J. Quiett

Group Art Unit
2712



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-25 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-25 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on Apr 9, 1998 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: figure 1, elements 50, 118; figure 2, element 69. Correction is required.
2. The drawings are objected to because on page 12, second paragraph, fourth line from the bottom the word "be" should be in the place of "to." Correction is required.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: figure 3-E and F, elements 37 and 41(4); figure 5, elements 235 and 236; and figure 6, element 61. Correction is required.

Specification

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
5. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

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The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

6. The use of the trademarks THULE^R, GORETEX^R, SONY^R and YAKIMA^R has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, the phrase "...its movement attached to an adjustable mount...." is not fully understood.

9. Claims 3-7 and 22-23 recites the limitation "said mount or said mount assembly" in the second line of each claim. There is insufficient antecedent basis for this limitation in the claim.

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Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1-4, 14 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Lucas et al.

In claims 1-4, Lucas discloses a rotatable/ adjustable pan and tilt camera mounted on a vehicle and can be easily controlled by the driver (or user). This device includes a display/ control apparatus that is mounted and secured in the vehicle. The apparatus can also be detached easily and stored the captured image. Please refer to figures 1, 2, 4, and 5; column 3, lines 17-20 and 49-52; and column 4, lines 17-28 and 39-44.

In claim 14, Lucas also discloses a camera that is mounted on the windshield of the vehicle (column 4, lines 17-20). Referring to figure 4, one can see that the camera can be mounted at any angle.

In claim 18, Lucas discloses a display control apparatus that is accessible to the user's reach in the vehicle and can be operated with one hand. Please refer to figures 1 and 2.

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Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas in view of Sergeant et al.

In this claim, Lucas discloses a pan and tilt camera with a display/ control. However, he does not disclose a water seal on a mount. On the other hand, Sergeant discloses an environmentally sealed camera which includes protection from water. It will protect the device from conditions such as high or low temperatures in the vehicle, etc. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to put a water seal on the mount. Please refer to column 1, lines 10-20.

14. Claims 6-7, 21-22, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas in view of Klapper et al.

As for claims 6-7 and 21-22, Lucas discloses a pan and tilt camera on a vehicle, such as a police car. However, he does not disclose a camera mounted on the roof rack of the vehicle. Klapper teaches us about a pan and tilt camera mounted on any roof rack brand (figure 2) and/or light bar of a vehicle. Therefore, it would have been obvious to a person of ordinary skill in the

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art at the time the invention was made to mount the camera on the roof rack of the vehicle because the user can capture images at better angles outside the vehicle.

Now for claim 24, Lucas discloses a camera for a surveillance vehicle, but does not disclose information for a camera on a ship or boat. Klapper discloses a camera attachment for a ship in figure 15. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to mount the camera a ship because a ship is a different kind of vehicle that can be used for surveillance.

15. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas in view of Paddock et al.

For these claims, Lucas discloses a pan and tilt camera with display control that has some manner of locking (column 4, lines 17-24), but does not include a first or secondary self-locking mechanism. Paddock discloses two mechanisms, which includes a ball-plunger and a quick release mechanism for locking, in column 7, lines 27-30 and in the abstract. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include an automatic locking system for the advantage of the person driving the vehicle. The driver or user would not have to waste time adjusting the pan and tilt of the camera.

16. Claims 10 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas in view of Kormos et al.

As for claim 10, Lucas discloses a camera with a singular support for pan and tilt. However, he does not include a control system with drive gears and slip clutches. In figure 1 and

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the abstract, Kormos discloses a pointing mechanism that has a singular support and separate mechanisms for operating pan and tilt. Please also refer to figure 4, and elements 562 and 564. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include this type of control system for easy access and adjusting of the camera while the operator is driving.

In claim 19, Lucas does not disclose an adjustment lever for controlling the display/control system with one hand. Kormos reveals this kind of feature in column 4, lines 24-28. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to add an adjustment lever because it also provides easier way and/or another way to maneuver the camera for a better viewing angle.

17. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas and Kormos as applied to claim 10 above, and further in view of Kurian.

In this claim, Lucas does not disclose a pan and tilt camera system with a slip clutch. Kormos discloses a slip clutch as applied to claim 10. However, Kormos does not disclose the added features stated in claim 11. Although Kurian's patent does not explicitly disclose applications for cameras, Kurian discloses information about an adjustable clutch device that appears to be very similar to the features of the slip clutch. Please refer to the abstract and figure 2. He also mentions a clutch having a free rotation control, a friction disc, a wave (or spring) washer, etc. It would be advantageous to add a clutch with all of these features because it allows better pan and tilt maneuvering when the user or operator of the car captures images with the

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camera. The addition of a rotational free gear also allows the operator to rotate the input end of the clutch and line up the spline with thereof and the spline with the power shaft (column 1, lines 29-31). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a slip clutch with the added features.

18. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas in view of Sergeant et al and Kennedy et al.

In this claim, Lucas does not disclose information about a camera housing that has an opening to accept optical filters nor an o-ring seal. Sergeant discloses a camera housing with an o-ring seal for blocking moisture in the abstract. Then, Kennedy discloses information about a camera housing that has an opening to accept optical filters in column 5, lines 23-26. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include these added features on the camera. The o-ring seal blocks moisture from environmental conditions and the optical filter provides modified focusing for the lens.

19. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas in view of McMahon.

In this claim, Lucas does not explicitly disclose a camera in a vehicle that has a stabilized field of view (FOV). However, McMahon discloses this information in column 1, lines 40, and 51-57. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to construct a device that has a FOV stabilized camera because the camera will provide better pictures of moving images when it pans and tilts.

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20. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas in view of Baumeister.

As for this claim, Lucas does not explicitly disclose a device with a heat sink. However, in figure 2 and column 3, lines 56-57, Baumeister discloses a camera that includes a heat sink for temperature control. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a heat sink in the camera because it will keep the camera from overheating.

21. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas in view of Sergeant and Kennedy as applied to claim 12 above, and further in view of Kennedy .

As for this claim, Lucas does not mention a heat sink/ camera housing. Sergeant also does not explicitly mention a heat sink. Instead, he uses an o-ring seal to protect the camera housing from the environment. However, Kennedy discloses this necessity in column 5, lines 13-15. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to construct a camera enclosure that acts as an additional heat sink because it adds extra protection for the camera power supply in extreme climate conditions or in the environment.

22. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas in view of Balkwill et al.

In this claim, Lucas does not explicitly mention a one way moisture passage plug, but he does have a cable that appears to be flexible in figure 1, element 28. Although Balkwill disclose

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information relating to a camera, he reveals an electrical box that prevents moisture from entering the box. It has a plug/ opening that receives a wire which is sealed and resists moisture passage. Balkwill's invention can be applied to a camera enclosure. Please refer to column 1, lines 47-60. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a plug with these features. It would add more protection for the camera power supply in different climate conditions.

23. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas in view of Tovi.

As for this claim, Lucas does not disclose a tinted sphere enclosing the camera. On the other hand, Tovi discloses a silver, transparent and spherical camera enclosure for surveillance purposes. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to place the camera in an enclosure. Since this is a surveillance device, one would want to conceal the camera from the images being surveyed.

24. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas in view of Yang.

In this claim, Lucas does not disclose a camera on a rail road locomotive. He discloses a camera for a surveillance vehicle in the abstract. However, Yang discloses a camera for a train car in figure 17. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to make the camera adaptable to a train car because this train car is a different type of surveillance vehicle.

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25. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas in view of Conway et al.

This claim is similar to claim 1. However, Lucas does not reveal that the images can be view on the Internet in the vehicle. On the other hand, Conway discloses different communication links to display captured images from a camera. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a feature transmitting captured images on the Internet. It allow a surveyor at remote location way to view the images while they are being captured by the camera on the surveillance car.

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lucas et al.	5,111,289	Sergeant et al.	5,107,286
Klapper et al.	5,729,016	Paddock et al.	5,737,657
Kormos et al.	5,598,207	McMahon	5,093,677
Baumeister	4,739,409	Yang	4,578,665
Tovi	4,225,881	Conway et al.	5,652,849
Kennedy et al.	4,695,881	Balkwill et al.	4,408,695
Wood	5,551,917	Nishi et al.	5,472,171
Kurian	5,762,556	P.E. Redelman	3,605,443

27. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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Washington, DC 20231

or faxed to:

(703)308-9051, (for formal communications intended for entry)

Or:

(703)308-5399 (for informal or draft communications, please label

"PROPOSED or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carramah J. Quiett whose telephone number is (703) 305-1460. The examiner can normally be reached on Monday-Thursday from 8:00 to 5:00. The examiner can also be reached on alternate Friday's.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber, can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-5299.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



CJQ

October 1, 1998



Wendy Garber
Supervisory Patent Examiner
Technology Center 2700